

AN ORDINANCE

00-0-2062 ^{clv}

BY COUNCILMEMBER DERRICK BOAZMAN

+ Jim Macklox

AN ORDINANCE TO ABANDON CASPLAN STREET, S.W. FROM METROPOLITAN PARKWAY, S.W., TO HARDEN STREET, S.W., AND TO ABANDON HARDEN STREET, S.W. FROM CASPLAN STREET, S.W. TO A POINT APPROXIMATELY 863 FEET SOUTHEASTERLY, LYING AND BEING IN LAND LOT 89 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a formal request from Atlanta Metropolitan College, the abutting property owner, to abandon Casplan Street, S.W. from Metropolitan Parkway, S.W. to Harden Street, S.W. and to abandon Harden Street, S.W. from Casplan Street, S.W. to a point approximately 863 feet southeasterly, lying and being in Land Lot 89 of the 14th District, Fulton County, Georgia, and for other purposes; and

WHEREAS, Atlanta Metropolitan College owns the parcels on both sides of the above named streets; and

WHEREAS, Atlanta Metropolitan College wishes to incorporate these streets into its redevelopment of the former Chocolate City property; and

WHEREAS, these streets are currently used mainly as an entrance to the Atlanta Metropolitan College; and

WHEREAS, the 10th Ward Trunk Sewer has to be replaced per the Consent Decree; and

WHEREAS, the 10th Ward Trunk Sewer runs through a portion of Atlanta Metropolitan College; and

WHEREAS, the City of Atlanta needs permanent and temporary easements from Atlanta Metropolitan College to complete the construction of that portion of the 10th Ward Trunk Sewer on the property of the Atlanta Metropolitan College; and

WHEREAS, the appraised value of the permanent easement (approximately 15,569 square feet) is \$10,950 (at \$0.70/square foot); and

WHEREAS, the appraised value of the temporary easement (approximately 26,171 square feet) is \$2,800 (at \$0.11/square foot); and

WHEREAS, the total value of the permanent easement and the temporary easement is \$13,750; and

WHEREAS, the Atlanta Metropolitan College has agreed to exchange an easement for the abandonment and conveyance to Atlanta Metropolitan College a portion of Casplan Street, S.W. and portion of Harden Street, S.W.; and

WHEREAS, the abandoned right-of-way will become part of the abutting owners private property and will be their responsibility to maintain; and

WHEREAS, the request to abandon said street shall be reviewed by the proper City agencies and by all public utilities.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the requirements of Section 138-5(a) of the Code of Ordinances setting forth a procedure for petitioning for the abandonment of a street and requiring the certification that the petitioner intends to compensate the City for the fee simple fair market of the street are hereby waived for the purposes of this ordinance.

SECTION 2. That the requirement of Section 138-5(b) that the ordinance be prepared by the Department of Public Works is hereby waived for the purposes of this ordinance.

SECTION 3. That the requirement of Section 2-1578 of the Code of Ordinances of the City of Atlanta directing the Purchasing Agent to negotiate a price for an abandoned street is hereby waived for the purposes of this ordinance.

SECTION 4. That the Casplan Street, S.W. from Metropolitan Parkway S.W. to Harden Street, S.W., encompassing an area of 27,499.4 square feet, lying and being in Land Lot 89 of the 14th District, Fulton County, Georgia, as shown on attached Exhibit "A", be and the same is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 5. That Harden Street, S.W. from Casplan Street, S.W. to a point approximately 863 feet southeastly, encompassing an area of 43,150.5 square feet, lying and being in Land Lot 89 of the 14th District, Fulton County, Georgia, as shown on attached Exhibit "B", be and the same is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 6. That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate,

maintain or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed or relocated, at which time, said easements shall expire

SECTION 7. That the Mayor is hereby authorized to execute an Exchange Agreement between the City and Atlanta Metropolitan College to exchange the value of the two above named streets for the permanent and temporary easements needed to complete the 10th Ward Trunk Sewer construction improvement.

SECTION 8. That the appraised value of the permanent easement (approximately 15,569 square feet) needed for the construction is \$10,950 (at \$0.70/square foot).

SECTION 9. That the appraised value of the temporary easement (approximately 26,171 square feet) needed for the construction is \$2,800 (at \$0.11/square foot).

SECTION 10. That the total value of the needed permanent and temporary easements is \$13,750.

SECTION 11. That the Mayor be and is hereby authorized to execute and deliver a quitclaim deed conveying the above named streets to Atlanta Metropolitan College.

SECTION 12. That all ordinances and parts of ordinances in conflict are hereby repealed.

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CULTURAL FEATURES

WITS

City of Atlanta

Townhome Improvement Only

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NS ARE IN FEET

THE METROPOLITAN BOARD OF
ADJUSTMENT ARE NOT GUARANTEED
OR TAX PURPOSES ONLY

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Metropolitan Parkway

4-104

Casplan Street

Harden Street

STEWART

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CULTURAL FEATURES

IMITS
City of Atlanta

Townhome Improvement Only
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NS ARE IN FEET

MEASUREMENTS ARE NOT GUARANTEED
OR TAX PURPOSES ONLY

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Metropolitan Parkway

Casplan Street

Harden Street

Exhibit "B"

00-0-2062 <small>(Do Not Write Above This Line)</small>	First Reading Committee _____ Date _____ Chair _____ Referred to _____		FINAL COUNCIL ACTION <input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote
<p>AN ORDINANCE <i>Amended</i> BY COUNCILMEMBER DERRICK BOAZMAN <i>+ Jim Macdon</i> AN ORDINANCE TO ABANDON CASPLAN STREET, S.W., FROM METROPOLITAN PARKWAY, S.W., TO HARDEN STREET, S.W., AND TO ABANDON HARDEN STREET, S.W., TO A POINT APPROXIMATELY 863 FEET SOUTHEASTERLY, LYING AND BEING IN LAND LOT 89 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND FOR OTHER PURPOSES.</p>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> Committee _____ Date _____ Chair _____ Action: _____ Fav, Adv, Hold (see rev. side) _____ Other: _____ Members _____ Refer To _____ </div> <div style="border: 1px solid black; padding: 2px;"> Committee _____ Date _____ Chair _____ Action: _____ Fav, Adv, Hold (see rev. side) _____ Other: _____ Members _____ Refer To _____ </div>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> Committee _____ Date _____ Chair _____ Action: _____ Fav, Adv, Hold (see rev. side) _____ Other: _____ Members _____ Refer To _____ </div> <div style="border: 1px solid black; padding: 2px;"> Committee _____ Date _____ Chair _____ Action: _____ Fav, Adv, Hold (see rev. side) _____ Other: _____ Members _____ Refer To _____ </div>	CERTIFIED
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1st ADOPT 2nd READ & REFER <input checked="" type="checkbox"/> PERSONAL PAPER REFER </div> <div style="border: 1px solid black; padding: 2px;"> Date Referred <i>12/4/00</i> Referred To: <i>City Utilities</i> Date Referred _____ Referred To: _____ Date Referred _____ Referred To: _____ </div>	MAYOR'S ACTION		